

SB323 INTRODUCED



1 SB323
2 I35MEZZ-1
3 By Senators Sessions, Williams, Melson, Kelley, Gudger,
4 Chesteen, Stutts, Price, Butler, Givhan
5 RFD: Agriculture, Conservation, and Forestry
6 First Read: 10-Apr-25



4 SYNOPSIS:

5 Under existing law, the Commissioner of
6 Conservation and Natural Resources is authorized to
7 issue a game breeder license to certain persons to
8 engage in the business of raising protected game
9 animals and game birds, including certain cervids.

10 This bill would prohibit state agencies from
11 killing, testing, and prohibiting the transfer of these
12 deer due to disease except under certain circumstances.

13 This bill would establish that deer possessed by
14 a licensee are the personal property of that licensee.

15 This bill would also make nonsubstantive,
16 technical revisions to update the existing code
17 language to current style.

18
19
20 A BILL

21 TO BE ENTITLED

22 AN ACT

23
24 Relating to game breeder licensees; to amend Section
25 9-11-30, Code of Alabama 1975, to prohibit state agencies from
26 killing, testing, and prohibiting the transfer of cervids due
27 to disease, subject to exceptions; to provide that cervids
28 possessed by a licensee are the personal property of that



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licensee; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 9-11-30, Code of Alabama 1975, is amended to read as follows:

"§9-11-30

(a) For the purposes of this section, Section 9-11-31, and Section 9-11-31.1, the ~~term "protected game animals and game birds" means any~~ following terms have the following meanings:

(1) CERVID. Any member of the family Cervidae possessed by or under the care of a licensed game breeder pursuant to this section, Section 9-11-31, and Section 9-11-31.1.

(2) PROTECTED GAME ANIMALS AND GAME BIRDS. Any species of bird or animal designated by the Commissioner of Conservation and Natural Resources by ~~regulation~~ rule pursuant to Section 9-2-7, species of the family Cervidae documented by the department to exist in the wild in this state prior to May 1, 2006, which are whitetail deer, elk, and fallow deer, or species of nonindigenous animals lawfully brought into this state prior to May 1, 2006, and their offspring.

(b) (1) Pursuant to the requirements and restrictions of subdivisions (2) and (3), the Commissioner of Conservation and Natural Resources shall issue an annual game ~~breeder's~~ breeder license to any properly accredited person, ~~firm, corporation,~~ ~~or association~~ authorizing a game breeder to engage in the business of raising protected game birds, game animals, or fur-bearing animals, for ~~propagating~~ propagation purposes in



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this state.

(2) Before a license is issued, the Commissioner of Conservation and Natural Resources shall make or cause to be made a thorough investigation ~~and~~ to determine the qualifications, responsibility, and equipment of the applicant for entering upon the business of breeding, raising, and handling of game birds and game or fur-bearing animals.

(3) No license shall be issued or renewed for any person, ~~firm, corporation, or association~~ or ~~any~~ principal officer or partner ~~in a firm, corporation, or association~~ which thereof that is convicted of violating ~~subsection (c) of~~ Section 9-2-13 (c) after May 1, 2006, or for the premises of any person, ~~firm, corporation, or association~~ whose license privileges are revoked after May 1, 2006.

(4) A game ~~breeder's~~ breeder license shall expire on September 30 of the year in which issued, unless renewed, except that any license issued pursuant to this section between May 1, 2006, and September 30, 2006, shall expire on September 30, 2006.

(5) The commissioner shall ~~promulgate~~ adopt rules for engaging in the business of breeding, raising, producing, and handling of protected game birds and game animals or fur-bearing animals or their eggs, embryos, or semen.

(c)(1) The fees for issuance of licenses pursuant to this section shall be two hundred fifty dollars (\$250) for all species, except members of the family Cervidae.

(2) The license fee for breeding members of the family Cervidae shall be two hundred fifty dollars (\$250) for the



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first 50 animals, five hundred dollars (\$500) for 51 to 100 animals, and one thousand dollars (\$1,000) for ~~any number of animals in excess of~~ more than 100 animals.

(3) License fees under this section shall be based on the number of animals on hand as of the immediately preceding April 1 of each year.

(d) The department and any other agency of this state may not do any of the following unless: (i) the specific disease has been detected in another cervid possessed by or under the care of the licensee; or (ii) the cervid has been transferred to the licensee from another licensee and is epidemiologically linked to a diseased cervid possessed by or under the care of the transferring licensee:

(1) Require the killing of a cervid due to a disease.

(2) Require the antemortem disease testing of a cervid.

(3) Prohibit or restrict the transfer of a cervid from the premises of a licensee to another person due to disease.

(e) All cervids possessed by or under the care of a licensee on October 1, 2025, and their offspring, are the personal property of the licensee and are not the property of this state."

Section 2. This act shall become effective immediately.